

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION

NO. 4:11-CV-62-FL

BRIAN McCLENDON, )  
                        )  
Plaintiff,           )  
                        )  
v.                    )  
                        )  
YRC WORLDWIDE, INC.;       )  
YRC WORLDWIDE TECHNOLOGIES,   )  
INC.; SAM'S WEST, INC., d/b/a Sam's   )  
Club; SAM'S EAST, INC., d/b/a Sam's Club;   )  
and LEISURE TIME PRODUCTS, INC.,       )  
                        )  
Defendants.           )

ORDER

This matter comes before the court on the motion to dismiss filed by defendant Sam's West, Inc. (DE # 6). In light of the joint stipulation of dismissal filed May 25, 2011, this motion is DENIED AS MOOT.

SO ORDERED, this the 26th day of May, 2011.

  
LOUISE W. FLANAGAN  
Chief United States District Court Judge